

## **REGULAR SESSION-BOARD OF QUAY COUNTY COMMISSIONERS**

**January 12, 2009**

**9:00 a.m.**

BE IT REMEMBERED THE HONORABLE BOARD OF QUAY COUNTY COMMISSIONERS met in regular session the 12th day of January, 2009 at 9:00 a.m. in the Commissioners' Room of the Quay County Courthouse, Tucumcari, New Mexico for the purpose of taking care of any business that may come before them.

**PRESENT & PRESIDING:**

Franklin McCasland, Chairman  
Robert Lopez, Member  
Bill Curry, Member  
Richard Primrose, County Manager  
Ellen White, County Clerk

**OTHERS PRESENT:**

Larry Moore, Quay County Road Superintendent  
Colette Vanderpool, Quay County Manager's Office  
Donald Adams, Quay County Fire Marshall  
Tony Elebario, Quay County Detention Center Administrator  
Joe Schallert, Quay County Sheriff

The meeting was called to order by Chairman Franklin McCasland. Tony Elebario led the Pledge of Allegiance.

A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve the minutes from the December 15, 2008 regular meeting. MOTION carried with all members voting "aye".

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to add item No. I; Election of Chairman; Reorganization of Board/Sub Committees; Distribution of Financial Interest Disclosure Forms; Document that Annual Audits, Summary Minutes, Monthly Budget, Financial Reports, and Monthly Warrants List are public information; Establish Method of Compliance with Revenue and Expenditures Requirements, to the Agenda. MOTION carried with all members voting "aye".

**PUBLIC COMMENTS:** Tony Elebario thanked Larry Moore for allowing the local National Guard unit to use the loading dock at the Road Department.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry to elect Commissioner Franklin McCasland as the Chairman of the Board of Quay County Commissioners for 2009. MOTION carried with all members voting "aye".

A MOTION was made by Bill Curry, SECONDED by Robert Lopez, to approve the appointments to various boards and committees as previously held in 2008. MOTION carried with all members voting "aye". A copy of the appointments are attached and made a part of these minutes.

In accordance with NMSA 10-17-3, a MOTION was made by Bill Curry, SECONDED by Robert Lopez, to make provisions for the monthly revenues and expenditures to be made available for public inspection. MOTION carried with all members voting "aye".

According to NMSA 4-44-23-25 each January for elected officials or at the beginning of employment for employees of the county, a disclosure statement must be filed with the County Clerk disclosing the precise nature and value of such financial interests which an employee or elected official believes may be affected by the actions of the County. This information on the disclosure shall be made available by the County Clerk for inspection by the public while the valuation shall be kept confidential except for official removal proceedings. Quay County Clerk, Ellen L. White informed the Commissioners that distribution of the forms had occurred.

In accordance with NMSA 10-17-1, the County Commission is required to have summary minutes prepared and available for public inspection immediately following the end of a commission meeting approving said minutes. Recorders and tapes used by the Clerk only serve as a tool for the Clerk and are not a part of official minutes. Also it requires that annual audits, the monthly budget and finance reports, and the monthly lists of checks be made available to the public. This establishes a method of compliance with revenue and expenditure requirements. All reports shall be made available for public review. A MOTION was made by Bill Curry, SECONDED by Robert Lopez that such reports will be made available in accordance with NMSA 10-17-1. MOTION carried with all members voting "aye".

Tom Dominguez, Quay County Agriculture Agent joined the meeting. Time noted 9:10 a.m.

Tony Elebario presented the quarterly report from the Quay County Detention Center for the time period of 10/01/08 – 12/31/08. A copy of said report is attached and made a part of these minutes.

Elebario presented Resolution No. 31 for Fiscal Year 08-09; Authorization of Budgetary Increase for the Detention Center (421-12). A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.

Donald Adams, Quay County Fire Marshall presented the EMS Grants for Rural 1, Rural 2, Bard Endee and Forrest Fire Departments. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Grant Agreements. MOTION carried with all members voting "aye". A copy of said Agreements are attached and made a part of these minutes.

Adams reported the Forrest Fire Station should be upgraded to an ISO rating of 8B as a result of a recent inspection. The Quay, Rural 2 and Porter Departments conducted a pump test at Ute Lake last week. Everything went well, Adams stated. Porter Fire Department has announced that Mike Thrasher is their new Chief. The pump testing trailer purchase has been approved by the State Fire Marshall. Adams stated he was waiting to determine if Quay County could piggy back off of the Otero County RFP. When that has been determined, he will proceed with the purchase either by using their RFP or issuing one for Quay County.

Larry Moore, Quay County Road Superintendent gave the following report:

1. The School Bus Routes are finished and all paperwork was turned in on December 29, 2008.
2. Payment has been received for the asphalt used in the GRIP II project (Quay Road AI). The amount received was \$737,032.97.
3. Crews have finished hauling on Quay Road AE. There is a bad soft spot that will have to be dug out and re-set. Crews will be moving to Quay Road 70 which is a Coop project.
4. The Reclaimer should be in Albuquerque and ready for delivery around March 17, 2009.
5. The two 140M blades will be delivered today and the simulator will be at the road department around 10:30 a.m. for demonstrations.
6. Anthony Gresham, who retired last year, has returned and is working for the Road Department three days a week operating a blade.
7. The front seal on the Dozer went out and will be sent to be repaired in Amarillo.
8. An RPO meeting is scheduled for Tuesday, January 20, 2009 in Santa Fe. Project information forms will be distributed.

Chairman McCasland stated he received information regarding the 2009 Road Certification and asked Moore if he also received the information. Moore stated he did receive it and would be working with the County Clerk to have it ready in March.

Quay County Sheriff, Joe Schallert presented 2008-2009 Resolution No. 30; Budgetary Increase from the Sheriff's Transportation Grant. A MOTION was made by Bill Curry, SECONDED by Robert Lopez to approve said Resolution as presented. MOTION carried with all members voting "aye". A copy of said Resolution is attached and made a part of these minutes.

Chairman McCasland asked Schallert what the status of the Canine Unit was. Schallert stated the dog is in El Paso, Texas being trained at the Department of Customs. The car will be completed when the cage arrives. Deputy Dahlsten will attend an 8 week training course starting on January 19, 2009.

County Manager, Richard Primrose presented the following report:

1. Presented the December, 2008 monthly RPHCA Report from the Quay County Family Health Center. They will be having an open house on January 19, 2009 from 3:00 p.m. – 5:00 p.m. with the Council Meeting following at 5:00 p.m. Chairman McCasland asked Primrose to announce that some or all of the Commissioners might be in attendance.
2. Letters of thanks have been received from both the Hartley House and Veronica Wright from Domestic Violence for the help from Daniel Estrada getting the new room ready for them in the basement. As well, the Commissioners were thanked for allowing them to occupy that space. Domestic Violence has also received new computers as a donation from the District Attorney.
3. Received notification from the NM Environment Department of Applications received for Discharge Permits from various entities.
4. Presented the Gross Receipts Tax information for the first six months of the fiscal year. The report indicates a continued increase due to the Interstate construction project.
5. Thanked Ellen White and her staff for organizing the Employee Appreciation Banquet in December. White thanked Larry Moore for stepping in at the last minute during the Santa Claus appearance at the courthouse for the kids.
6. There will be a Ute Water Commission meeting on January 16, 2009 in Tucumcari at the Tucumcari Convention Center. Approval for extending the reservations for Quay County

was approved at an Interstate Stream Commission meeting in Albuquerque on December 19, 2008. This item will be on the January 16 agenda for approval at the Ute Water Commission meeting. Primrose along with Commissioner Curry will attend that meeting. Chairman McCasland requested that Primrose contact Bruce Hammond regarding the Ute Lake Ranch project to make sure he does not have any other issues that need to be placed on the agenda for that meeting.

7. The servers and computers conversion should begin taking place on January 16 and continue through the weekend until they are all changed.
8. Electricity is still a problem in the courthouse with the lack of heating and the offices using space heaters creating electrical problems throughout the building.
9. Informed those in attendance that the courthouse is open on January 19, 2009. This holiday will be observed later in the year. The next commission meeting is scheduled for Friday, January 23, 2009 due to the mid-winter conference in Santa Fe the week of January 26-29.
10. Primrose will be attending a Department of Finance training the morning of January 15, 2009 in Clovis for a budget workshop.

Chairman McCasland requested a ten minute break. Time noted 10:00 a.m.

Return to regular session. Time noted 10:05 a.m.

A MOTION was made by Robert Lopez, SECONDED by Bill Curry, to go into Executive Session pursuant to the Open Meetings Act 10-15-1(H)2&7 NMSA to discuss pending litigation regarding Reginald A. Tuck vs. Board of County Commissioners. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye". Time noted 10:05 a.m.

-----EXECUTIVE SESSION-----

A MOTION was made by Robert Lopez, SECONDED by Bill Curry that pending or threatened litigation was discussed during Executive Session and no action was taken. MOTION carried with Lopez voting "aye", Curry voting "aye" and McCasland voting "aye".

Return to regular session. Time noted 11:15 a.m.

Hoyt Skabelund, Trigg Memorial Hospital Administrator and C.J. Wiegel, Hospital Board President joined the meeting. Time noted 11:15 a.m.

Hoyt Skabelund, Trigg Memorial Hospital Administrator presented the Sole Community Provider request for the 2009-2010 fiscal year. The amount requested is \$854,568.52. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the request as presented. MOTION carried with all members voting "aye". A copy of said request is attached and made a part of these minutes.

UNDER OTHER BUSINESS:

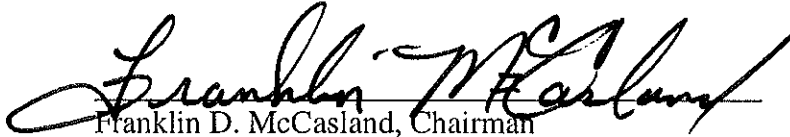
1. Chairman McCasland reminded everyone of the upcoming ACI Reception, Business Day and Quay Day scheduled for the first week in February. McCasland stated the tickets for the events will be waiting for the Commissioners and Manager at registration.

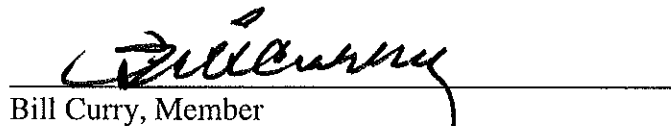
2. Commissioner Curry asked Primrose what the status of repairs and improvements at the Fairgrounds were. Primrose stated the signed Grant Agreement for re-authorization of funds has been received. Specs for the roof have been supplied and an RFP will be issued soon. Chairman McCasland asked for estimates and the projects at the Fairgrounds be presented to them at a future meeting.

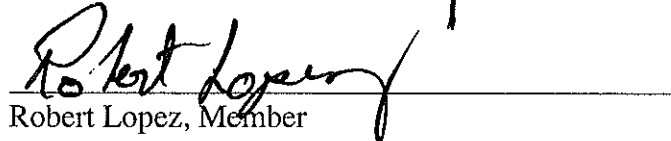
CHECKS WERE REVIEWED. A MOTION was made by Robert Lopez, SECONDED by Bill Curry to approve the expenditures as presented. MOTION carried with all members voting "aye". A copy of the expenditure report is attached and made a part of these minutes.

There being no further business, a MOTION was made by Robert Lopez, SECONDED by Bill Curry to adjourn the regular meeting of the Board of Quay County Commissioners until the next regular meeting set for January 23, 2009, unless sooner called. MOTION carried with all members voting "aye". Time noted 11:35 a.m.

BOARD OF QUAY COUNTY COMMISSIONERS

  
Franklin D. McCasland, Chairman

  
Bill Curry, Member

  
Robert Lopez, Member

ATTEST:

  
Ellen L. White, County Clerk